

**REMARKS**

**Status of Claims:**

Claims 19-30 have been added. Thus, claims 1-30 are present for examination.

**Foreign Priority:**

In the Office Action Summary, the Examiner marked box 12(a)(2) to acknowledge receipt of certified copies of the priority documents in Application No. 2000-080708. Applicant believes that box 12(a)(1) should have been marked rather than box 12(a)(2), and requests that the Examiner acknowledge that certified copies of the priority documents have been received.

**Prior Art Rejection:**

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hasegawa (U.S. Patent Application Publication 2002/0178137).

With respect to claims 1-18, as amended, the rejection is respectfully traversed.

Independent claim 1, as amended, recites an electronic mail transfer device which receives an electronic mail sent from a sending terminal through a communication line and sends at least a portion of the received electronic mail to a receiving terminal through the communication line according to an address of a destination party attached to the electronic mail, comprising:

“means for separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;

means for inserting an identifier associated with the second data into the first data;  
and

means for sending only the first data with the identifier to the receiving terminal;

wherein the identifier permits retrieval of the second data by the receiving terminal.”  
(Emphasis Added)

The electronic mail transfer device including the above-quoted features has the advantage that an electronic mail can be separated into first and second data, and the first data can be sent with an inserted identifier to a receiving terminal where the receiving terminal can retrieve the second data by means of the identifier. The present device could be used, for example, to separate an electronic mail message containing both text data and graphics data into first data containing the text data and second data containing the graphics data. The text data is then sent to a receiving terminal with an inserted identifier so that the receiving terminal could use the identifier to later access the graphics data.

By initially only sending the text data with an inserted identifier, the data transfer time for receiving the electronic mail message at the receiving terminal can be reduced. Such a reduction in data transfer time could be important, for example, when the receiving terminal is a portable telephone that receives data at a low transfer rate and that has a high communication fee for network connection time. The portable telephone user would be able to receive the text portion of the message in a short time and then, if desired, access the graphics portion of the message using the identifier. (see Specification page 2, lines 1-22; page 3, lines 6-10; page 16, line 23 to page 17, line 4; page 17, line 22 to page 18, line 1).

Hasegawa neither discloses nor suggests the electronic mail transfer device including the above-quoted features with a means for separating an electronic mail into first and second data, a means for inserting an identifier into the first data, and a means for sending only the first data with the identifier to the receiving terminal where the receiving terminal can retrieve the second data by means of the identifier. In Hasegawa, an electronic mail with song data attached is received at a communication terminal. (Hasegawa; abstract). The communication terminal then notifies a receiving terminal that the communication terminal has received an electronic mail addressed to the receiving terminal. (Hasegawa; abstract). The communication device then transfers the electronic mail with the attached song data to the receiving terminal when the receiving terminal requests receipt of the electronic mail. (Hasegawa; abstract).

Therefore, in Hasegawa, the communication terminal does not separate the electronic mail from the attached song data, but sends both the electronic mail and the song data to the receiving terminal at the same time when the receiving terminal requests the mail.

(Hasegawa; abstract; paragraph [0015]). Also, the communication terminal in Hasegawa does not insert an identifier into the electronic mail to permit for retrieval of the song data, but instead sends a notification message to the receiving terminal that does not contain any of the electronic mail message, but is only to notify of the receipt of a message. (Hasegawa; abstract; paragraphs [0015], [0052], [0053]). Furthermore, in Hasegawa, there is no way to send the electronic mail from the communication terminal without the song data attached, but both must be transmitted at the same time when the receiving terminal makes a request for the message. (Hasegawa; abstract; paragraphs [0015], [0054], [0055]).

As a consequence, the communication terminal in Hasegawa would not allow for a receiving terminal to only receive text data of a mail message without receiving the attached song data so that a user could read the text data and then decide whether or not to access the attached song data. In Hasegawa, if a user desires to read the text data in the mail message, the user would have to download both the text data and the attached song data, which is the problem that the present electronic mail transfer device seeks to resolve.

Therefore, independent claim 1 is neither disclosed nor suggested by the cited prior art and, hence, is believed to be allowable.

Independent claim 8, as amended, recites an electronic mail transfer system provided with an electronic mail transfer device similar to the electronic mail transfer device of claim 1 and, thus, is believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

Independent claim 15, as amended, recites an electronic mail transfer method similar to the operation of the electronic mail transfer device of claim 1 and, thus, is believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

New independent claim 23 recites an electronic mail transfer device similar to the electronic mail transfer device of claim 1 and, thus, is believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

New independent claim 29 recites an electronic mail transfer device similar to the electronic mail transfer device of claim 1 and, thus, is believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

New independent claim 30 recites an electronic mail transfer method similar to the operation of the electronic mail transfer device of claim 1 and, thus, is believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 11-23-04  
FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

By David A. Blumenthal  
David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257